

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.82 OF 2007

Dipak Agarwalla .. Petitioner
Versus
Chandrakala Agarwalla & Ors. .. Respondents

WITH

CHAMBER SUMMONS NO.977 OF 2007

AND

CHAMBER SUMMONS NO.1037 OF 2007

Mr.Madhur Baya for petitioner
Mr.Amol Doijode for respondent No.1
Ms.Manjri Sharma for respondent No.2
Mr.S.V.Doijode for respondent Nos. 3 and 4.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 26th November 2007

P.C.

. At the stage of admission, this petition was exhaustively argued and reserved for judgement and time was granted as requested on number of occasions to enable the parties to put

an end to the family disputes amicably.

2. Now consent terms are tendered which are signed by the petitioners and respondents, their Advocates for themselves and it is stated in clause 14 of the consent terms that the individuals as well as all entities and the H.U.F. have undertaken the obligations under the consent terms and the award.

3. The award now is accepted by the parties. However, by consent some variations are made with regard to the payments that are to be made and are receivable under the subject award. Those modifications are also by consent. Payment of the sums as varied have also been agreed to be made in the manner set out in the award after the parties acknowledged their liabilities. Respondents have agreed to accept the payment of the sums which are to be made under clause 2 and which have also been made prior to the terms

being made part of award/order of the Court.

4. In the above circumstances, I am satisfied that the consent terms fully put an end to all disputes in the Agarwalla family in terms of their family arrangement/settlement dated 2nd February 2006. Award also stands. However, the same is modified by consent in the manner provided by consent terms which are signed by the parties after being fully understanding the implications and consequences thereof.

5. Undertakings in clauses 8, 10, 18 and 20 are accepted. Petitioner's wife has also signed the consent terms.

6. In such circumstances, terms are taken on record and marked "X" for identification. Order in terms of consent terms. Petition disposed of. Chamber summonses do not survive in the light of disposal of petition and are disposed off.

(S.C.Dharmadhikari, J)